

Mr. Brett L. Eliason, Trustee and Agent for Max D Eliason  
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Brett.eliason1@gmail.com  
Plaintiff is Self-Represented "Pro Se"

**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH**

Court Address: 351 S. West Temple, SLC Utah 84111

FILED US District Court-UT  
OCT 30 '23 PM12:40

**THE ESTATE OF MAX AND JOYCE ELIASON and  
Max D Eliason who is a protected person  
"ME"**

\_\_\_\_\_  
Plaintiff

v.

**THE CORPORATION OF THE PRESIDENT OF THE  
CHURCH OF JESUS CHRIST OF LATTER-DAY  
SAINTS**

**KIRTON McCONKIE, PC,**

**PARSONS BEHLE & LATIMER**

**THE HONORABLE JUDGE ROBERT FAUST**

**THE HONORABLE JUDGE ROBERT SHELBY**

**THE HONORABLE JUDGE ADAM MOW**

**JOHN AND JANE DOES TO BE ADDED**

\_\_\_\_\_  
Defendant

**SUMMONS AND COMPLAINT**

**REQUEST FOR A SUMMARY  
JUDGEMENT**

**FILED UNDER THE LAWS OF RICO  
AND RES IPSA LOQUITUR**

Case: 2:23-cv-00785  
Assigned To : Romero, Cecilia M.  
Assign. Date : 10/30/2023  
Description: Eliason v. The  
Corporation of the President of the  
Church of Jesus Christ of Latter-day  
Saints et al

**Case No.**

**Judge:**

The complaint filed herein will prove to be the largest and most simple case to understand within recorded history. This case exposes the very reason that the laws of RICO were created which is to prevent corruption from spreading throughout the government and remove those in positions of power who conceal these crimes. It is the intention of the Plaintiff to demonstrate how easy this case is to understand by doing so in just one page.

The attached "Exhibit A" shows clearly that Mr. McCullough and the Law Office of Kirton McConkie (aka "The Lawyers of Jesus Christ Himself) represent the Estate of Max and Joyce Eliason as Settlers. President Lee Wright of the Law Office of Kirton McConkie stated they have a "Professional and undisclosed conflict of interest wherein it has been discovered that the law firm represented Lisa Stephens as Beneficiary. **This is a criminal and intentional Breach of Fiduciary Duty and demands the following:**

Max and Joyce Eliason delivered an estate valued more than \$100,000,000 to KMC Law and Mr. McCullough in May of 2013 with the understanding that this prestigious law firm did indeed represent them and the associated trusts associated therewith. Max and Joyce arguably did not require one trust; and it has been discovered so far that more than ten trusts exist and for which Kirton McCONKIE and KMC Law refuse to account for or provide documentation to the Trustee and Personal Representative Brett L Eliason.

The attached Exhibit "A" prepared by Sr Partner John Snow of Parson's Behle and Latimer clearly state on page 7 section 32 that "Craig McCullough, is also the attorney for Lisa Stephens as both a Trustee and Beneficiary of the Trusts. As such, McCullough, an attorney licensed in the State of Utah, had a professional conflict of interest, and his actions as a Trust Protector should be declared void.

This matter has been concealed by both state and local judges and every large law firm in Utah each of which are protecting KMC and the LDS Church. If John Snow, Angus Edwards, and Mindy Kidd of Parson's Behle and Latimer are correct in their statements; then indeed this estate should be considered "embezzled" and that all actions of KMC Law and Craig McCullough should be considered void.

The problem with the laws of The United States of America is that one single criminal attorney (Craig McCullough) associated with the LDS Church is capable of bankrupting and destroying the entire organization and exposing the empire as a white-collar mafia whose need for profits has yet to be disclosed publicly.

**The calculation for damages is kindergarten simple math:**

Value of The Estate of Max and Joyce Eliason: \$100,000,000

Amount KMC Law can account for: \$0

Punitive Damages assessed on a joint and several basis: \$300,000,000

Vicarious Liability assessed to each of the 150 KMC attorneys: \$45,000,000,000

The laws of Apparent Authority and Respondeat Superior automatically assess the entire amount of damages to The Corporation of The President of The Church of Jesus Christ of Latter-Day Saints for every dollar not paid by the underlying defendants.

The Laws of Corporate Liability and laws surrounding RICO violations indict the officers of the LDS Church with multiple counts of 2<sup>nd</sup> degree felony crimes.

The additional problem the defendants face is that The Estate of Max and Joyce Eliason is in fact worth at least \$200M and with the additional 150 attorneys from Parson's Behle and Latimer makes this lawsuit the largest in world history and can be determined by the one question that should be posed to KMC Law and The LDS Church:

Do You Serve Max D Eliason "ME" who is still alive and without representation.

I DO NOT WANT ONE DIME FROM THE CHURCH OF JESUS CHRIST OF LATTER-DAY-SAINTS. THE ONLY THING I ASK IS THE RETURN OF MY PARENTS ESTATE "AS IF THE RELATIONSHIP HAD NEVER BEEN CONSUMMATED". TO NOT PROSECUTE THIS CRIME SHOWS THE WORLD THAT THE DEFENDANT INCLUDING THE CHURCH OF JESUS CHRIST ARE ABOVE THE LAWS OF THE LAND

A 500 PAGE AMENDMENT WILL BE FILED IMMEDIATELY WITH VOLUMES OF EVIDENCE AGAINST THE DEFENDANTS.

IT has been said that “WHEN THE LAW NO LONGER PROTECTS YOU FROM THE CORRUPT, BUT PROTECTS THE CORRUPT FROM YOU; THEN YOUR NATION IS DOOMED.”

It is hoped that the horrific story of corruption exposed within this complaint concerning the Estates of Max and Joyce Eliason will not be an indication of doom within our society, however; there is an extra degree of evil found herein to which no person in society should need be subjected to or fear that something similar could ever happen again.

This entire matter can be resolved very simply with the following statements to which none of the Defendants can respond to the question of “who within the walls of Kirton McConkie represent the estate of Max D Eliason and the associated trusts.

1. The trust documents were prepared by KMC Law and Mr. Craig McCullough is named as my father’s attorney in the Trust documents and that KMC Law does indeed represent my dear parents as Settlor and Successor Trustees.
2. KMC Law admitted to “an undisclosed conflict of interest” by Board of Directors member Mr. Tom Meham in February of 2019 and stated I would need to sue them to protect my father’s interest as Settlor and stated client of KMC Law and mine as Trustee and Beneficiary. He also stated that Mr. McCullough had no fiduciary duty to my parents in his new role as “Trust Protector.”
3. KMC Law openly represents Lisa Stephens as the Beneficiary of this estate while nobody from KMC is representing my parent’s estate valued at over \$100,000,000 and the defendants now refuse to provide any documents or account for one dime of the missing estate.

**4. THESE FACTS ALONE ARE REASON FOR AN AUTOMATIC SUMMARY JUDGEMENT WITH THE DEFENDANTS UNABLE TO EXPLAIN.**

**PARTIES, JURISDICTION, AND VENUE**

1. Plaintiff Max D Eliason is an individual residing in Salt Lake City, Utah. Max is in fact the "Settlor/Creator" of The Max and Joyce S Eliason Trusts dated 10-28-15. He engaged and entrusted Kirton McConkie and Craig McCullough to protect his and his late wife's Estate whose assets are now "missing". Kirton McConkie's response to his demands from Sr Management were met with him being humiliated in front of Judge Faust and deemed "incompetent" to silence his legal ability to demand for accountability. This was also done to conceal their intentional Breach of Fiduciary Duties to Max D Eliason. The documents in this A/B Trust clearly state that Max D Eliason is the Successor Trustee and Settlor and he is still alive even now and was considered legally competent for one year after my mother died on May 21<sup>st</sup>, 2018.
2. Defendant The Corporation of The President of The Church of Jesus Christ of Latter-Day Saints is to be held responsible for all damages assessed herein under the laws of Apparent Authority and Respondeat Superior with Vicarious Liability assessed to all involved.
3. Defendant Kirton McConkie is the Law Office who continues to employ Mr. Craig McCullough despite him forging my father's signature to Probate Court claiming he had the verbal authorization to do so one month after my mother died. Mr. McCullough does not represent my father; nor ever did, and my father had advanced Alzheimer's at the time.

4. Defendant Parson's Behle, & Latimer claimed to represent me in this matter; took tens of thousands in fees, wrote that McCullough committed fraud, and dropped me as a client two hours before I appeared before Judge Faust on October 18<sup>th</sup>, 2023.
5. Judge Robert Faust of the Third District Court of Utah. Judge Faust was presented with the information herein and a petition to force accounting on the estate of Max and Joyce Eliason on October 22, 2023; and he refused to allow the injunction requests be read nor did he allow the Petitioners the right to speak. He is fully aware of the criminal implications herein but as the son of James T Faust; refuses to permit a complaint of this magnitude to be heard in open court.
6. Judge Robert Shelby was presented with this matter in 2019 which addressed over 50 felony charges against Kirton McConkie and The LDS Church and rather than even scheduling a court date for the Plaintiff to express his story; it was instead dismissed with prejudice which is considered felony aiding and abetting from a United States District Court Judge.
7. Judge Adam Mow of the Third District Court of Salt Lake County was presented with this matter in December of 2019 and he also had all the evidence in front of him and who also dismissed this Criminal RICO filing with prejudice

**THERE IS A COMPLAINT FILED BY JOHN SNOW, ANGUS EDWARDS, AND MINDY KIDD OF THE LAW FIRM OF PARSON'S BEHLE & LATIMER WHICH IS ATTACHED AS SCHEDULE A. IT CLEARLY STATES THAT MR. CRAIG MCCULLOUGH ACTED AS A TRUST PROTECTOR DESPITE HIS PROFESSIONAL CONFLICT OF INTEREST AND THAT EVERYTHING HE HAS PREPARED SHOULD BE CONSIDERED VOID.**

Brett L Eliason   
Trustee, Personal Representative and Proud Son